

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

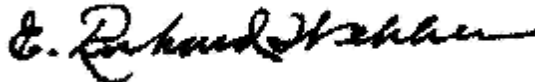
TIM D. DAILY,)	
)	
Plaintiff,)	
)	
v.)	No. 4:05CV01085 MLM
)	
JEREMIAH NIXON,)	
)	
Defendant.)	

ORDER OF DISMISSAL
PURSUANT TO 28 U.S.C. § 1915(e)(2)(B)

IT IS HEREBY ORDERED that plaintiff's complaint is
DISMISSED, without prejudice, pursuant to 28 U.S.C. §
1915(e)(2)(B).

IT IS HEREBY CERTIFIED that an appeal from this dismissal
would not be taken in good faith. See 28 U.S.C. § 1915(a)(3).

So Ordered this 28th Day of September, 2005.



E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE